



United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, DC 20240



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PEP - ENVIRONMENTAL REVIEW MEMORANDUM NO. ERM04-5

To: Heads of Bureaus and Offices

From: Willie R. Taylor, Director *Willie R. Taylor*
Office of Environmental Policy and Compliance

Subject: Section 4(f) of the Department of Transportation Act

Section 4(f) of the Department of Transportation Act provides the Department with a significant tool for the protection and preservation of parklands, recreation areas, wildlife and waterfowl refuges, and historical sites. While there is no veto by agencies over DOT in these matters, the Secretary of Transportation must determine that there is no feasible and prudent alternative to a proposed DOT action and that such action includes all possible planning to minimize harm to the park or historic resource before approving the action.

The National Park Service is generally the lead bureau in Section 4(f) reviews with consolidated Departmental comments being signed by OEPC. Section 4(f) is a complex statute with a long history. OEPC has published, and maintains on its web site, a handbook which contains detail of the Department's implementation of the statute. The handbook is located at: <http://www.doi.gov/oepec/handbook.html>.

This guidance should be provided to all Departmental officials who have land management or program responsibilities for those areas and resources to which Section 4 (f) would apply, in addition to those personnel who normally review DOT NEPA/4 (f) documents.

This memorandum replaces ERM94-4.